

Preliminary Amendment
Application No. 09/849,437
May 27, 2003

REMARKS

By this amendment, claims 1, 7, 11 and 12 have been amended in the application. Currently, claims 1-12 are pending in the application.

Examiner Miller and Supervisory Primary Examiner Banks are thanked for the courtesies extended to the undersigned during the personal interview on May 20, 2003. During the interview, claims 1-12, proposed claim amendments, and U.S. Patent Nos. 2,127,210, 4,457,193 and 6,021,695 were discussed. It was also discussed that applicants would be filing an Information Disclosure Statement citing the references found by the European Patent Office in their search for the EPO counterpart application. Submitted herewith is the Information Disclosure Statement listing these references and the Examiner is respectfully requested to consider these references when acting on this amendment. Examiner Banks also suggested that additional searching needed to be done for this application since Class 451 was not previously searched. Examiners Miller and Banks agreed that applicants' proposed amendment would overcome the Examiner's objection to the phrase "structured and arranged". Applicants'

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representative also presented arguments why the proposed amendments would overcome the prior art rejections.

Claims 1, 7, 4 and 8 were rejected under 35 USC 102(b) as being anticipated by Matthey (U.S. Patent No. 4,457,193). Regarding claims 1 and 7, the Examiner stated that Matthey taught in figures 1-4 a machine tool comprising a fixed bed (1), a pair of tool posts (17 and 22; it is noted that turrets 17 and 22 are considered to be the posts), carriages (14 and 19) and a headstock base (6) configured as claimed.

Regarding claims 4 and 8, the Examiner stated that Matthey further taught that the one of the carriages are disposed on a left side and the other disposed on the right side of the fixed bed in figure 1.

Claims 2-3, 5-6 and 9-12 were rejected under 35 USC 103(a) as being obvious over Matthey in view of Kosho et al. (U.S. Patent No. 6,021,695). The Examiner stated that Matthey disclosed in the figures the invention substantially as claimed. However, the Examiner stated that Matthey failed to teach a chip collecting opening disposed in the fixed bed between the carriages and headstock. The Examiner also stated that Kosho et al. taught in figures 1-9 a lathe having bed body 2 formed by a

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box-like rear body portion 3 and a box-like front body portions
4.

These rejections are respectfully traversed in view of the amendments to claims 1, 7, 11 and 12 and the remarks below.

Claim 1 has been amended to recite that "the headstock and the headstock base are attached to each other and move together between a workpiece machining position where the workpiece can be machined at a second side of said fixed bed and a workpiece loading and unloading position where the workpiece can be loaded and unloaded adjacent the first side of said fixed bed." Claims 7, 11 and 12 have been amended in a similar fashion.

Both Matthey and Kosho et al. do not disclose or suggest a machine tool where the headstock and the headstock base are attached to each other and move together between a workpiece machining position where the workpiece can be machined at a second side of said fixed bed and a workpiece loading and unloading position where the workpiece can be loaded and unloaded adjacent the first side of said fixed bed. Also, Matthey and Kosho et al. do not disclose or suggest a chip collecting opening that is disposed in the fixed bed between the respective carriages and the headstock and being open when the headstock is positioned in the workpiece machining position and being closed

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when the headstock is positioned in the workpiece loading and unloading position.

It is therefore submitted that claims 1-12 are allowable over the prior art of record.


Thus, applicants respectfully submit that the application is now in condition for allowance and an action to this effect is respectfully requested.

If there are any questions or concerns regarding the amendments or these remarks, the Examiner is requested to telephone the undersigned at the telephone number listed below.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Submitted herewith is a marked-up version of the amended claims to show changes made in the foregoing Amendment.

IN THE CLAIMS

Claims 1, 7, 11 and 12 have been amended as follows:

-- 1. (Twice Amended) A machine tool comprising:

a fixed bed;

at least one tool post mounted on a first side of said fixed bed, wherein said at least one tool post being mounted on at least one carriage;

a headstock provided on said fixed bed, wherein a workpiece disposed in said headstock is subjected to a cutting process by moving at least one of said at least one carriage and said at least one tool post relative to the workpiece; and

a headstock base having said headstock disposed thereon, the [headstock base being structured and arranged so as to be movable] headstock and the headstock base are attached to each other and move together between a workpiece machining position

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where the workpiece can be machined at a second side of said fixed bed and a workpiece loading and unloading position where the workpiece can be loaded and unloaded adjacent the first side of said fixed bed. --

-- 7. (Twice Amended) A machine tool comprising:

a fixed bed;

a pair of tool posts mounted on a first side of said fixed bed, wherein each of said tool posts being mounted on a carriage;

a headstock provided on said fixed bed, wherein a workpiece disposed in said headstock is subjected to a cutting process by moving at least one of said carriage and said tool posts relative to the workpiece; and

a headstock base having said headstock disposed thereon, the [headstock base being structured and arranged so as to be movable] headstock and the headstock base are attached to each other and move together between a workpiece machining position where the workpiece can be machined at a first side of said fixed bed and a workpiece loading and unloading position where the workpiece can be loaded and unloaded adjacent the first side of said fixed bed. --

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-- 11. (Twice Amended) A machine tool comprising:

a fixed bed;

a pair of tool posts mounted on a first side of said fixed bed, wherein each of said tool posts being mounted on a respective carriage;

a headstock provided on said fixed bed, wherein a workpiece disposed in said headstock is subjected to a cutting process by moving at least one of said carriage and said tool posts relative to the workpiece;

a headstock base having said headstock disposed thereon, the [headstock base being structured and arranged so as to be movable] headstock and the headstock base are attached to each other and move together between a workpiece machining position where the workpiece can be machined at a second side of said fixed bed and a workpiece loading and unloading position where the workpiece can be loaded and unloaded adjacent the first side of said fixed bed;

a chip collecting opening being disposed in said fixed bed between said respective carriages and said headstock and being open when said headstock is positioned in the workpiece machining position and being closed when said headstock is positioned in the workpiece loading and unloading position; and

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said fixed bed includes a tunnel formed therein, the tunnel communicating with said chip collecting opening and extends rearwardly away from the first side of said fixed bed, whereby chips that have fallen into said chip collecting opening can be collected through the tunnel.

12. (Amended) A machine tool comprising:

a fixed bed;

a pair of tool posts mounted on a first side of said fixed bed, wherein each of said tool posts being mounted on a respective carriage;

a headstock provided on a headstock base, said headstock base being disposed on said fixed bed, whereby a workpiece disposed in said headstock can be subjected to a cutting process by moving at least one of said respective carriages and said tool posts relative to the workpiece;

said headstock being [structured and arranged so as to be] movable between a workpiece machining position where the workpiece can be machined at a second side of said fixed bed and a workpiece loading and unloading position where the workpiece can be loaded and unloaded adjacent the first side of said fixed bed;

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a chip collecting opening being disposed in said fixed bed between said respective carriages and said headstock and [being] said headstock being positionable over said chip collecting opening so that said chip collecting is open when said headstock is positioned in the workpiece machining position and [being] is closed when said headstock is positioned in the workpiece loading and unloading position; and

said fixed bed includes a tunnel formed therein, the tunnel communicating with said chip collecting opening and extending rearwardly away from the first side of said fixed bed, whereby chips that have fallen into said chip collecting opening can be collected through the tunnel. --